

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JULY 26, 2005**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of July 26, 2005, was called to order by Mayor Beckman at 7:00 a.m.

Present: Council Members – Hansen, Hitchcock (arrived at 7:01 a.m.), Johnson, Mounce, and Mayor Beckman

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Blackston

B. REGULAR CALENDAR

- B-1 “Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel (\$229,945.64) and approve Special Allocation covering general litigation matter expenses (\$30,000.99) (CA)

City Attorney Schwabauer reviewed expenses incurred by outside counsel as outlined in the staff report (filed). He pointed out that costs associated with Kronick, Moskovitz, Tiedemann & Girard to work on the cases of *Lodi First v. City of Lodi* and *Citizens for Open Government v. City of Lodi* will be reimbursed to the City by Wal-Mart within 30 days.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Beckman second, unanimously approved the expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel in the amount of \$229,945.64 and approved Special Allocation covering general litigation matter expenses in the amount of \$30,000.99, as detailed below:

Folger, Levin & Kahn

Invoice No.	Date	Description	Total Amount	Distribution	
				171399.7323	183453.7323
88043	04/30/05	Farr Associates v City of Lodi	1,141.17	570.59	570.59
87962	04/30/05	Environmental Forensic v City of Lodi	7,248.30	3,624.15	3,624.15
88040	04/30/05	Magellan Env v City of Lodi	3,873.00	1,936.50	1,936.50
			(940.00)	470.00	470.00
88001	04/30/05	People v M&P Investments	101,347.94	50,673.97	50,673.97
			(4,395.00)	(2,197.50)	(2,197.50)
88041	04/30/05	Hartford Insurance Coverage Litigation	24,847.07	12,423.54	12,423.54
			(211.50)	(105.75)	(105.75)
88044	04/30/05	People v. Randtron	511.86	255.93	255.93
88047	04/30/05	Fireman's Fund/Unigard Appeal	31,011.93	15,505.97	15,505.97
			(235.00)	(117.50)	(117.50)
88049	04/30/05	Envision Law Group	27,724.38	13,862.19	13,862.19
				-	-
			<u>191,924.15</u>	<u>95,962.08</u>	<u>95,962.08</u>

Kronick, Moskovitz, Tiedemann & Girard

Invoice No.	Date	Description	Total	Distribution		
			Amount	100351.7323	171399.7323	183453.7323
220396	05/25/05	On-Site Litigation Support	1600		800	800
220397	05/25/05	General advice	375.77	375.77		
220397	05/25/05	Fireman's Fund v. Col(04-15136)	90.00		45.00	45.00
220397	05/25/05	Lodi First v. City of Lodi	6,949.62	6,949.62		
220397	05/25/05	Citizens for Open Govt.v.Col	10,280.90	10,280.90		
			<u>19,296.29</u>	<u>17,606.29</u>	<u>845.00</u>	<u>845.00</u>

Kronick, Moskovitz, Tiedemann & Girard

Invoice No.	Date	Description	Total	Distribution		
			Amount	100351.7323	171399.7323	183453.7323
220723	06/25/05	On-Site Litigation Support	2000		1000	1000
220724	06/25/05	General advice	200.00	200.00		
220724	06/25/05	Fireman's Fund v. Col(04-15136)	987.00		493.50	493.50
220724	06/25/05	Hartford Litigation	38.00		19.00	19.00
220724	06/25/05	Col v. M&P Investments	100.56		50.28	50.28
220724	06/25/05	SphereofInfluence-WhiteSlough	12.39		12.39	
220724	06/25/05	Lodi First v. City of Lodi	4,135.15	4,135.15		
220724	06/25/05	Citizens for Open Govt.v.Col	8,059.55	8,059.55		
			<u>15,532.65</u>	<u>12,394.70</u>	<u>1,575.17</u>	<u>1,562.78</u>

JAMS

Invoice 183453.7323 No.	Date	Description	Total	Distribution	
			Amount	171399.7323	
0000961211-110	2005	Mediation Services M&P Investments	<u>\$ 3,192.55</u>	\$ 1,596.27	\$ 1,596.27

C. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 7:03 a.m.

ATTEST:

Susan J. Blackston
City Clerk